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REMARKS

In view of the foregoing amendments, claims 1-8 and 39-50 are currently pending in the subject application. Claim 1 has been amended and claims 39-50 have been added herein. A complete listing of the claims showing changes made in accordance with 37 C.F.R. §1.121 can be found at pages 2-5. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

As noted in the Reply to Final Office Action dated March 1, 2004, Iyengar, *et al.* does not teach or suggest *correlating deals* ... to the price and *non-price criteria* inputted by a buyer, the non-price criteria including at least one *distribution attribute*, as recited by independent claim 1 (and similarly by independent claims 39, 47 and 50). The Examiner maintains that such a modification, although not disclosed in Iyengar, *et al.* would have been obvious to one skilled in the art. However, it would not be obvious to one skilled in the art to modify Iyengar, *et al.* to correlate the deals for at least one of a product and service offered by the at least one seller to the price and non-price criteria inputted by a buyer. Iyengar, *et al.* discloses a system and method that provides a single point of contact for a buyer to obtain information about services offered by a plurality of sellers. Iyengar, *et al.* does not pertain to or disclose correlation of deals based on price and non-price criteria. Furthermore, Fig. 19 in Iyengar, *et al.* does not teach or suggest such a modification, as suggested by the Examiner. In fact, Fig. 19 is directed toward the structure of a network employed to provide communication between a client and a server(s) and not to the correlation of deals from a set of criteria inputted by a buyer.

In addition, Iyengar, *et al.* does not teach or suggest outputting a list of deals in *real time* that are correlated between a buyer and a seller as recited by independent claim 1. As discussed *supra*, there is no disclosure, teaching or suggestion in Iyengar, *et al.* of deal correlation. Assuming *arguendo* that there was such a deal correlation teaching, the reference still fails to teach or suggest outputting a list of deals in *real time*.

Further yet, claim 1 has been amended and claims 39-50 have been added herein for purposes of clarity to recite, among other things, correlating deals to non-price criteria, the non-price criteria including at least one distribution attribute. Distribution attributes can be associated with a deal and are not necessarily related to the characteristics of the good or service being purchased. For example, such attributes or criteria can include but is not

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limited to seller reputation, reliability, timeliness, delivery options, financing options, and warranties. Iyengar, *et al.* does not teach or suggest inputting and/or correlating deals based on this type of information. Rather, Iyengar, *et al.* is concerned solely with providing buyers with information relating to a desired service, specifically the lowest cost airfare amongst a plurality of airlines. Hence, Iyengar, *et al.* pertains only to receiving and processing input regarding service attributes (*e.g.*, price, destination, seat selection, in flight meal, travel dates, *etc.*) and not distribution attributes. There is simply no teaching or suggestion in the cited reference that would have been sufficient to have made the claimed limitation obvious to one of skill in the art.

In view of at least the foregoing, it is readily apparent that Iyengar *et al.* does not make obvious the subject invention as recited by independent claims 1, 40, 47 and 50 (and claims 2-7, 39, 41-46 and 48-49 which depend thereon) since the reference fails to teach or suggest all the recited claim limitations. Accordingly, this rejection should be withdrawn and a timely notice of allowance issued.

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**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above amendments and comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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